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16 Attorneys for Defendant Council on American-Islamic  
 17 Relations, Inc., Council on American-Islamic Relations Action Network, Inc.,  
 18 and Council on American-Islamic Relations of Santa Clara, Inc.

19  
 20 IN THE UNITED STATES DISTRICT COURT  
 21 THE NORTHERN DISTRICT OF CALIFORNIA  
 22  
 23 SAN FRANCISCO DIVISION

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 16 MICHAEL SAVAGE, ) Case No. CV07-06076 SI  
 17 Plaintiff, )  
 18 v. ) DECLARATION OF MATTHEW  
 19 COUNCIL ON AMERICAN-ISLAMIC ) ZIMMERMAN IN SUPPORT OF  
 20 RELATIONS, INC., COUNCIL ON ) REQUEST FOR JUDICIAL NOTICE  
 21 AMERICAN ISLAMIC RELATIONS ACTION )  
 22 NETWORK, INC., COUNCIL ON AMERICAN ) Date: March 7, 2008  
 23 ISLAMIC RELATIONS OF SANTA CLARA, ) Time: 9:00 a.m.  
 24 INC., and DOES 3-100, ) Courtroom 10, 19<sup>th</sup> Floor  
 25  
 26 Defendants. ) Honorable Susan Illston  
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1 I, Matthew Zimmerman, declare and state:

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1. I am an attorney with the Electronic Frontier Foundation, located in San Francisco, California. I am admitted to practice before the California state bar, the Ninth Circuit Court of Appeals, and the United States Supreme Court. The facts stated here are known to me of my own personal knowledge, except where otherwise stated. If called upon to testify thereto I could and would competently do so.
2. Attached hereto as Exhibit A is a true and correct copy of the United States Copyright Office copyright registration record for the October 29, 2007, episode of the "Savage Nation," the copyrighted work at issue in this case. This registration is identified by copyright registration number SR0000610214, registered December 17, 2007. The registration record was obtained on February 22, 2008, from the United States Copyright Office online catalog, located on the Library of Congress website, at:
  - [http://cocatalog.loc.gov/cgi-bin/Pwebrecon.cgi?Search\\_Arg=michael+savage&Search\\_Code=TALL&PID=9376&SEQ=20080222035520&CNT=25&HIST=1](http://cocatalog.loc.gov/cgi-bin/Pwebrecon.cgi?Search_Arg=michael+savage&Search_Code=TALL&PID=9376&SEQ=20080222035520&CNT=25&HIST=1)

I declare under penalty of perjury that the foregoing is true and correct and that this document was executed in San Francisco, California.

DATED this 22nd day of February 2008.

ELECTRONIC FRONTIER FOUNDATION

By: */s/ Matthew J. Zimmerman*  
MATTHEW J. ZIMMERMAN  
Attorneys for Defendants Council on  
America-Islamic Relations, Inc.,  
Council on American-Islamic Relations  
Action Network, Inc,  
Council on American-Islamic Relations of  
Santa Clara, Inc.

# EXHIBIT A

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*The Michael Savage Show, October 29, 2007.*

**Type of Work:** Sound Recording and Text

**Registration Number / Date:** SR0000610214 / 2007-12-17

**Application Title:** The Michael Savage Show, October 29, 2007.

**Title:** The Michael Savage Show, October 29, 2007.

**Description:** 3 Compact disks (CD) : identifying material.

**Copyright Claimant:** Michael A. Weiner. Address: c/o Savage Productions, Inc., 150 Shoreline Highway, Building E, Mill Valley, CA, 94941

**Date of Creation:** 2007

**Date of Publication:** October 29, 2007

**Nation of First Publication:** United States

**Authorship on Application:** Michael A. Weiner aka Michael Savage, 1942- (author of pseudonymous work);  
Citizenship: United States. Authorship: words and performance.

**Pre-existing Material:** Words and performances of other individuals used with permission.

**Basis of Claim:** Copyright is claimed only in the words and performance of Michael Weiner.

**Copyright Note:** C.O. correspondence.

**Names:** Weiner, Michael A., 1942-

Weiner, Michael A.

Michael Savage

 previous    next 

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